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CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper and the documents referred to as attached or enclosed are being deposited with the United States Postal Service on the date set forth below in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, with the below indicated mailing label number, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: September 15, 2000

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Attorney Docket No. SCHWP0129US

Box Patent Application
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 Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of:

Inventor(s): Stefan Vilsmeier
 Rainer Birkenbach

For (title): THREE-DIMENSIONAL SHAPE DETECTION BY MEANS OF CAMERA IMAGES

1. Papers Enclosed That Are Required for Filing Date under 37 CFR 1.53(b):

11 Pages of specification including claims1 Pages of Abstract1 Sheets of drawing☐ formal ☒ informal

☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. 1.84(b).

2. Additional papers enclosed:

☐ Preliminary Amendment☐ Assignment to _____☐ Information Disclosure Statement (37 CFR 1.98)☐ Form PTO-1449 ☐ Citations☐ Other:

3. Small Entity Status: ☐ Applicant claims small entity status. ☐ Not claimed.
4. Declaration or oath: ☐ Enclosed ☒ Not enclosed.
5. Language: ☐ English ☐ Non-English
☐ A verified translation is enclosed (37 CFR 1.52(d)).
6. This application claims priority of the below listed application(s) (if any):

Country	Application No.	Filing Date	Certified Copy Enclosed
Germany	199 44 516.8	September 16, 1999	Yes

7. The filing fee is calculated below.

Fee Calculation					Fee
Basic fee →					\$0.00
Claims*	Number filed		Number extra	Rate	
Total claims	17	-20	0	\$18.00	\$0.00
Independent claims	2	-3	0	\$78.00	\$0.00
Multiple dependent claims (if applicable)				\$260.00	
Total of above					\$0.00
Small entity statement enclosed (1 if Yes, 0 if No) →					\$0.00
Total fee					\$0.00
Non-English language specification				\$130.00	
Fee for recording enclosed assignment				\$40.00	
Total fees					\$0.00

*After any attached preliminary amendment reducing the number of claims and/or deleting multiple dependencies.

8. Form of payment:

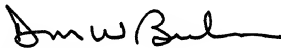
- ☒ [X] No fee being paid at this time.
- ☐ [] A check in the amount of \$_____ to cover the above fees is enclosed.
- ☐ [] Please charge our Deposit Account No. 18-0988 in the amount of \$_____. A duplicate copy of this sheet is enclosed.
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9. The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 18-0988:

- ☐ [] 37 CFR 1.16(a), (f) or (g) (filing fees)
- ☐ [] 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)
- ☐ [] 37 CFR 1.17 (application processing fees)
- ☐ [] 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

10. Credit any overpayment to Deposit Account No.18-0988.

Respectfully submitted,

Date: September 15, 2000

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TITLE: THREE-DIMENSIONAL SHAPE DETECTION BY MEANS OF CAMERA IMAGES

BACKGROUND OF THE INVENTION

5 1. Technical Field

The present invention relates to a method and an apparatus for detecting the shape of an object.

10 In many applications it is important to precisely know the outer shape of an object. One such application is, for example, in the field of medical technology. Patients are scanned, e.g., by means of computer tomography (CT), to determine the location of a tissue change in the body or in a body part prior to undergoing surgery or radiotherapy. During this, markers or emphasized
15 points on the body part are included in the scan, the positional data of which is used later in a surgical navigation system, which monitors the treatment room during the operation in order to assist the surgeon or radiotherapist.

2. Description of Related Art

20 Disadvantageously, in such methods, a complicated assignment of the positional data from the CT scan to the three-dimensional data in the operating room with the aid of the navigation system must occur prior to treatment. On the one hand, this assignment is time-consuming since corresponding markers need
25 to be applied manually to the skin, accessed by a referencing device, and identified. On the other hand, the assignment is quite often inaccurate, since, for example, skin markers may move slightly out of place in the course of the referencing procedure. Automatic referencing procedures using markers or by means of natural landmarks are highly computing-intensive.

30 Another disadvantage of such methods for assigning location and shape is that they do not necessarily reproduce the precise actual location data for the

outer shape or inner shape at the time of treatment or operation, the shape data stemming namely from a CT scan implemented, for example, some time before the operation and only the mapped positions of the markers are updated. The position of tissue points relative to the markers may change due to shifting from
5 the time taken to furnish the CT scan data to the operating room, with the result that the detected shape and location in the navigation system is incorrect and may lead to inaccurate treatment.

SUMMARY OF THE INVENTION

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The present invention aims to provide a method and apparatus for detecting the shape of an object, which is capable of overcoming the aforementioned disadvantages of the prior art, and further to provide a method and apparatus that can map and/or update the shape of an object quickly and
15 precisely.

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In accordance with the invention, a method of detecting the shape of an object comprises the steps of:

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- a) producing a camera image of the object;
- b) mapping an outline of the object, which appears sharp in the camera image, in a first plane by means of an analyzer connected to the camera;
- c) altering the focusing distance of the camera;
- d) mapping a sharp outline of the object in a second plane by means
25 of the analyzer;
- e) repeating steps b) to d) until a sufficient number of outlines has been mapped so that the three-dimensional shape of the object can be established.

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This method in accordance with the invention has the great advantage that it may be performed automatically and very quickly. Once the method has been implemented, the outer shape of the object is exact and, above all,

updated so that subsequent referencings can be likewise implemented with high accuracy. This shortens the time needed to prepare for a operation, especially a medical operation in the field of surgical and radiotherapeutical treatment, simplifies preparations for the operation and enhances accuracy in treatment, thus preventing errors in operations.

In a preferred embodiment of the invention, differences in contrast are mapped to establish which outline appears sharp in the camera image. When in the analyzer it is now known which focusing distance exists, then in this range, namely in the range of greatest sharpness of the image, also the differences in contrast are the greatest. Accordingly, the required outline is the one in which the differences in contrast are at a maximum and its distance, i.e., the location of the plane in which it is located remote from the camera, is known so that on this plane a definite outline assignment can be made. It is also possible, for example, to temporarily vary the focusing distance in mapping an outline at a plane to determine the greatest differences in contrast, and thus the precise location of the wanted plane, by averaging.

When the foregoing is done for a sufficient number of planes and outlines in these planes, a very accurate mapping of the shape of the object can be obtained.

A particularly precise detection of the outline may be achieved using a video camera having a very small depth of sharpness. A very small depth of sharpness ensures that a sharp outline appears only in a very limited range around the focusing distance of the camera. Thus, theoretically, the exact distance of the plane, in which the detected outline is located, could be sensed by a depth of sharpness approaching zero. Therefore, very accurate detections can be conducted with very small depths of sharpness.

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In accordance with the invention, markers may be applied to the object to be mapped to highlight specific points on the object for identification. These may

be light marks, mounted markers or affixed patterns, which simplify, for example, the detection of the sharpest image or the best contrast differences.

The analyzer preferably is a computer, including an image processing
5 program, in which analog image signals, captured by the camera, are digitized
(by an analog-to-digital converter) and then processed.

A particularly advantageous embodiment of the invention is achieved
when the camera is that of a surgical microscope. In large magnifications, the
10 depth of sharpness is smaller, meaning that the above noted advantages in this
context are achievable. In the field of medicine, and in combination with a
navigation system, the present invention may find application in two ways. On
the one hand, the shape of a patient body part to be treated can be mapped as
the object, the mapped shape being processed by a navigation system
15 monitoring the treatment room, in order to incorporate the outer shape of the
body part in the navigation. On the other hand, it is possible to apply at least
one marker, detectable by the navigation system, to the object so as to also use
the marker position as captured by the camera to assign the location and shape
of the object to the navigation system.

Of course, a combination of natural landmarks and artificial markers may
also be used for location assignment in the navigation system.

In accordance with an embodiment of the invention, when a natural
25 landmark is used for assignment, at least one point (for example the nose root of
a patient), detectable by the navigation system, is selected to assign the location
and shape of the object to the navigation system via the position of this/these
point(s) as also detected by the camera.

30 A method according to the invention may be used to verify and update the
desired positional data together with a navigation system for referencing a

location, i.e., preferably in radiotherapy or surgery. This enhances the accuracy of the treatment.

Advantageously, for this, the mapped shape of a body part is assigned to that shape determined by a preoperative scan, e.g., a computer tomography or a nuclear spin tomography, so that even when there has been a change in position during transport of the patient, i.e., the CT or nuclear spin tomography positional data are no longer totally correct, compensation and location correction can be implemented, this, in turn, preventing errors during the operation. A major advantage in this respect is that the mapping procedure in accordance with the invention may be undertaken also during the operation itself, i.e., during surgery on the open body part. The outlines in the created body opening may also be mapped and used to compensate the scanned image. The parts, already removed, can be cut out of the image furnished by the navigation system to ensure better and more updated assistance for the operating surgeon. In the process, density values, for instance, are created in each case, which precisely correspond to the new surface.

In addition, the invention provides a method that may also be used to provide an intelligent autofocus. For this purpose, the mapped shape of the object, already present in the analyzer, is used to automatically focus points or planes of the object as defined by the user. The user may enter in his navigation system, for example, the outline plane in which he wishes to receive a sharp image, e.g., by entering the coordinates or by using a tactile display. The camera can then precisely focus this outline plane.

It is furthermore possible by means of a method according to the present invention to obtain a "super sharp image" or an "infinitely sharp image". The mapped object shape may also be used to produce an image which is sharp at any depth. For this purpose, the sharp portion (contour) – e.g., a ring 2 to 3 mm wide – is extracted from each image and compounded with the other sharp portions from other focusing planes into an entire image.

Generally in this context, objects may be imaged from various sides by a method in accordance with the invention, whereby assigning the two mappings occurs computed either via a precisely known new camera position or via the assignment of artificial markers or natural landmarks so that an entire image is achieved. This also avoids problems resulting from undercuts on the object, and mapping may be completed.

An apparatus in accordance with the invention for detecting the shape of an object comprises a camera, including means for changing the focusing distance automatically or by manual access. Furthermore, it includes an analyzer, connected to the camera, which maps the sharp appearing outlines of the object in various focussing distances or planes in sequence until a sufficient number of outlines has been mapped so that the three-dimensional shape of the object can be established.

As already mentioned above, it is of advantage in this context when the camera is a video camera (digital or analog) having a very small depth of sharpness. As likewise already explained above, the analyzer is preferably a computer, including an image processing program, in which digital image signals are processed, or analog image signals, captured by the camera, are digitized and then processed, and wherein the image processing program determines which outline is sharp in the camera image, in particular by mapping the differences in contrast. The camera is preferably that on a surgical microscope.

BRIEF DESCRIPTION OF THE DRAWING

The invention will now be detailed by way of a preferred embodiment with reference to the attached drawing.

The drawing is a schematic representation of an apparatus in accordance with the invention for detecting the shape of an object. In the example shown,

the microscope 3, depicted simplified, bears a camera 1 which, in this case, is a video camera having a very small depth of sharpness.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

The video camera 1 produces a camera image of the object 2 in the imaging range as represented by the broken line.

The object 2 has an irregular outer shape. To detect the shape of the object 2, now, for example, one plane after the other is set sharp from the top down by the changing, more particularly by automatically changing the focussing distance of the camera 1. In the drawing, three planes 4, 5 and 6 are shown by way of example, each of which is accessed in sequence. Of course, in reality a far greater number of planes is accessed in mapping the shape, i.e., as many as is required to precisely map the shape of the object. Where highly complicated object shapes are involved, the number of focussing planes may also be automatically increased in defined distance ranges.

In accessing the planes 4, 5 and 6, as shown in the Figure, an outline of the object appears sharp in each case, this outline being represented in the drawing for the corresponding planes dotted in projection. The outermost points are identified on the left for each plane by 7, 8 and 9 and depicted somewhat amplified. When the camera 1 automatically sets its focussing distance, for example, to the plane 4, all points 7 on the object 2 in this plane appear sharp, and now the outline of the object 2 can be determined in the plane 4 from these sharp points. For this purpose, the image data are transferred from the camera 1 via a data line 10 to a computer C, which digitizes the analog image signals and establishes the outline data by means of an image processing program.

When this procedure is repeated for further planes, e.g., planes 5 and 6, in most cases, however, also for many intermediary planes, the shape of the object 2 can be detected precisely and updated.

In the foregoing description, preferred embodiments of the invention have been presented for the purpose of illustration and description. They are not intended to be exhaustive or to limit the invention to the precise form disclosed. Obvious modifications or variations are possible in light of the above teachings.

- 5 The embodiments were chosen and described to provide the best illustration of the principles of the invention and its practical application, and to enable one of ordinary skill in the art to utilize the invention in various embodiments and with various modifications as are suited to the particular use contemplated. All such modifications and variations are within the scope of the invention as determined
- 10 by the appended claims when interpreted in accordance with the breadth they are fairly, legally, and equitably entitled.

What is claimed is:

1. A method of detecting the shape of an object comprising the following steps:

- 5 a) producing a camera image of the object;
- b) mapping an outline of the object, said outline appearing sharp in the camera image, in a first plane by means of an analyzer connected to the camera;
- c) altering the focusing distance of the camera;
- 10 d) mapping a sharp outline of the object in a second plane by means of the analyzer;
- e) repeating steps b) to d) until a sufficient number of outlines has been mapped so that the three-dimensional shape of the object can be established.

15 2. The method as set forth in claim 1, wherein differences in contrast are mapped to establish which outline appears sharpened in said camera image.

20 3. The method as set forth in claim 1, wherein said camera is a video camera having a very small depth of sharpness.

 4. The method as set forth in claim 1, wherein markers are applied to said object to highlight specific points on said object for identification.

25 5. The method as set forth in claim 1, wherein said analyzer used is preferably a computer including an image processing program, in which digital image signals are processed or analog image signals, captured by said camera, are digitized and then processed.

30 6. The method as set forth in claim 1, wherein a camera is used on a surgical microscope.

7. The method as set forth in claim 1, wherein the shape of a patient body part to be treated is mapped as said object, said mapped shape being processed by a navigation system monitoring the treatment zone in order to incorporate the outer shape of said body part in navigation.

8. The method as set forth in claim 7, wherein at least one marker, detectable by said navigation system, is applied to said object to assign the location and shape of said object in said navigation system via the position of said at least one marker as also captured by the camera.

9. The method as set forth in claim 7, wherein at least one fixed point, detectable by said navigation system, is selected on said object to assign the location and shape of said object in said navigation system via the position of said at least one point as also captured by the camera.

10. The method as set forth in claim 7, which is used together with a navigation system for location referencing in radiotherapy methods or surgical operations.

11. The method as set forth in claim 7, wherein the mapped shape of a body part is assigned to that shape determined by a preoperative or intraoperative scan, e.g. a computer tomography or a nuclear spin tomography, to permit compensation or location correction.

12. The method as set forth in claim 1, wherein the mapped shape of said object is used to automatically focus object points or planes defined by the user.

13. The method as set forth in claim 1, wherein the mapped shape of said object is used to produce an image which is sharp at any depth.

14. An apparatus for detecting the shape of an object comprising a camera wherein the focusing distance is changeable automatically or by manual access, and an analyzer connected to said camera and which maps the sharply appearing outlines of said object in various focusing distances or planes in
5 sequence until a sufficient number of outlines has been mapped so that the three-dimensional shape of said object can be established.

15. The apparatus as set forth in claim 14, wherein said camera is a video camera with a very small depth of sharpness.

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16. The apparatus as set forth in claim 14, wherein said analyzer is a computer, including an image processing program, in which analog image signals, captured by said camera, are digitized and then processed, and wherein said image processing program determines which outline is sharp in said camera
15 image by mapping the differences in contrast.

17. The apparatus as set forth in claim 14, wherein said camera is attached to a surgical microscope.

ABSTRACT OF THE DISCLOSURE

A method of detecting the shape of an object comprises the following steps: a) producing a camera image of the object; b) mapping an outline of the object, which appears sharp in the camera image, in a first plane by means of an analyzer connected to the camera; c) altering the focusing distance of the camera; d) mapping a sharp outline of the object in a second plane by means of the analyzer; e) repeating steps b) to d) until a sufficient number of outlines has been mapped so that the three-dimensional shape of the object can be established. Also disclosed is an apparatus for implementing the method.

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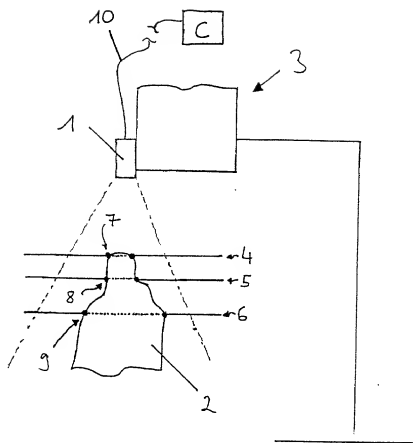


Fig. 1